May 26, 1969

Dear Mr. Pevsner,

Enclosed is more material on Lane's plagiarism. I deals with both of his books and his public appearances, which served to promote him and his books and to sell them. It falls into three groups: copies of my letters with him and his publisher, Holt, Rinehart and Winston, a few clippings from the underground press, a couple of pages from "Rush to Judgement" with an attached letter and pages from the rough draft of a manuscript I entitle "A Citizen's Descent", a play on the title of his second book.

As you will see from the letters, I never got any meaningful response, never got any denial of the plagiarism, and in some cases got no response at all, including to the very severe personal charges I made. There is no doubt in my mind that the two parts of the appendix to "Rush to Judgement" of which copies are enclosed are plagiarized from WHITEWASH, my first book. Neither is appendix material, both belong in the text and, as I told Cohen, without denial, adding them would have required repaging and re-indexing the entire book. The attached copies of "Publisher's Weekly" ads make clear the touted material that was omitted to make room for this stolen material, so vital to Lane's vaunting ego. The letter with Appendix 10 is from a friend who had access to his manuscript after publication of his first book. This appendix was not in it. I regret I forgot to ask about the other appendix. Lane's work went through long, almost continuous revision, in the United States and in England. He despaired of getting it published and made mimeograph copies (before the professional editing). This was the final form of his manuscript and it is this that was checked for me. WHITEWASH became generally available May 9, 1966 (it was available at the Library of Congress from August of the previous year), well in advance of publication of "Rush to Judgement". In the enclosures I do not go into his theft of the Marrion Baker material in the movie version of "Rush to Judgement" because my knowledge is second-hand, not having seen it. However, I have been told this is among the purloined things in it. The false claims made for the book, known to be false, bear, I think, on the intent to damage. There was that intent and there was, continuously, that practice. I also have copies of Holt's press releases and brochure referred to and will make copies if you desire, but at the moment my supply of the special copying paper is about exhausted and the new supply has not arrived. After Cohen promised to cease and desist the misrepresentations they persisted in the very extensive public-relations work, as far away as the west coast. There was an enormous campaign behind Lane and this book. In fact, it never stopped. I have transcripts of some of his 1968 broadcasts promoting "A Citizen's Dissent" in which he continues to use my material as though it were his. By this I mean material I alone published, he did not, in either book. I can supply copies of these if needed, but the source will have to be disguised, for they are carbon copies of the transcript made for a federal agency dealing in intelligence and someone would be fired for it.

Bearing on his intent and whether or not he knowingly stole, I have two tape recordings of a TV show in Washington the night of June 4, 1968, where I gave him the time on the 1 st of a series of shows I did on that station, WTAN-TV. As the letters show, he pretended his theft in one case was a "printer's error". It is this in the reprint of his book, unchanged, that I sent you a week ago or so

ago, to show it was not a mistake, for he did not correct it (through two editions
- now have). One of these recordings was made for me off the air, as broadcast.
The other was made in the studio by the woman who later interviewed him. He was
aware of it. He positioned her microphone, as the tape itself shows. On these
tapes he is heard defending theft of literary materials. He says it is right and
proper. The excerpts from the manuscript also deals with these things.

On this TV show he used some of my material for my book COUP D'ETAT.
He heard of it from Garrison, to whom I had told it and delivered the man from whom
I got it, as I set forth in COUP D'ETAT. This was the first time Mark used that stuff
later so exhaustively reported as his material. It is the material quoting Bobby
Kennedy as believing he might be killed by the CIA unless he pretended to agree with
the official account of his brother's murder. Mark used this to sell his second
book. That night, as the tapes show, I stopped him, told him and proved it was my
material. This merely whetted his steal-nerve, for he immediately launched a well-
reported, nationwide campaign to sell "A Citizen's Dissent" with it, using it regu-
larly on radio and TV (inaccurately, to be sure), getting in the papers with it,
making the news services from coast to coast, etc. He used it under his name in
writing for the underground press (poor copies of the LA Free Press and the NY
Free Press enclosed). He used it to get a major story in the "National Enquirer", a
front-page story of which an excerpt from the inside is enclosed. He used it in
every possible way. Aside from the damage from the theft it did such other harm that
is probably not actionable. And all the time he knew it was mine. On that show
I referred to other material from COUP D'ETAT, my prediction of Bobby's murder early
that year, in writing, to Jess Unruh, California Democratic leader. Thereafter,
for Bobby was killed early the next morning, Mark went the length and bredth of
the country saying he had predicted Bobby's murder right before it happened. I
believe he did agree with my analysis, but the prediction, in writing, was mine.
And it is dated. There is nothing in his writing about the involvement of the CIA.
That is in my work alone (OSWALD IN NEW ORLEANS, of which Dick is co-publisher).
He uses it regularly as though it is his. At least one of the clippings shows this.

The pages from the manuscript deal with the thievery and expand
on it. I regret they are so unclear, but my machine is worn out and it was a number
of pages before I could effect a decent adjustment. When the new paper arrives I
will send you new copies of pages 15-19 and 23-4. If you can make copies of any
other pages you want and return this, or tell me if you want to keep all of it, I
will appreciate it, for I have no second copy of that manuscript and want to make
one. I have no immediate plans for publication. It was written at a time I believed
it might be necessary to accomplish the serious purpose of my work and that of others.
Developments will determine whether I will ever seek its publication.

I hope this is enough to show you that there was theft of my material.
If you have any questions, please ask. As soon as I can I will send you the rest of
what you asked for. I am still waiting to hear from Bair at Dell, who wrote and
said I would soon (as did the New York Times about the Epstein piece).

Sincerely,

Harold Weisberg